

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Crl.Rev.Pet.No. 1106 of 2007(E)

CRA.301/2003 of II ADDL. SESSIONS COURT, PALAKKAD
ST.146/1999 of JUDL.MAGISTRATE OF FIRST CLASS COURT,
MANNARKAD
.....

REVN. PETITIONER:

U. MURALIKRISHNAN, S/O. UNNI MENON, AGED 45 YEARS,
RESIDING AT "SARANAM" VATTAMBALAM,
KUMARMPUTHUR, MANNARKKAD TALUK,

BY ADV. SRI.O.P.NANDAKUMAR

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.
 2. C. VISWANTHAN, S/O. PAZHANIMALA,
CHETTIPALLIYALIL HOUSE, KANHIRAM,
POTTASSERY, MANNARKAD TALUK, PALAKKAD DISTRICT.

BY ADV. SRI. C.M KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

.....
Crl.M.A. No.13644 OF 2007

in

Crl.R.P. No. 1106 OF 2007 C
.....

Dated this the 8th day of January, 2008

O R D E R

Petitioner's revision petition against the verdict of guilty, conviction and sentence in a prosecution under Section 138 of the N.I. Act was disposed of by order dated 13.3.07 in Crl.R.P.1106/07. Petitioner was granted six months' time to make the payment. The time was subsequently extended also but the petitioner could not pay the amount within the stipulated or extended time. But subsequently, the amount has been paid and there is no liability now. The petitioner apprehends that as he has not paid the amount within the stipulated time, default sentence may be executed against him.

2. The apprehension of the petitioner is without any merit. Once the compensation amount is paid and the court is satisfied about the same, there can be no question of default

sentence is being executed against the petitioner. The position is made crystal clear in ***Girish Vs. Muthoot Capital Services (P) Ltd.*** [2007 (1) KLT 16]. No further clarification is necessary.

3. This petition is accordingly dismissed but with the above observations.

4. Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

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